

FOX ROTHSCHILD LLP

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1301 Atlantic Avenue

Atlantic City, NJ 08401

Michael J. Viscount, Jr. (Admitted *pro hac vice*)

Brian R. Isen (*Pro hac vice* pending)

Tel: (609) 348-4515

Hearing Date: July 22, 2010 at 10:00 a.m.

Objection Deadline: June 7, 2010 at 4:00 p.m.

-and-

100 Park Avenue, 15th Floor

New York, NY 10017

Fred Stevens

Tel: (212) 878-7905

Attorneys for M&Q Plastic Products, LP

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	:
	:
DPH HOLDINGS CORP., <u>et al.</u> ,	:
	:
Debtors.	:
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DELPHI CORPORATION, et al.,	:
	:
Plaintiffs,	:
	:
vs.	:
	:
M&Q PLASTIC PRODUCTS AND	:
M AND Q PLASTIC PRODUCTS.,	:
	:
Defendants.	:
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Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

Adv. Pro. No. 07-02743 (RDD)

**NOTICE OF MOTION OF M&Q PLASTIC PRODUCTS L.P. SEEKING AN ORDER
(I) DISMISSING THE COMPLAINT WITH PREJUDICE; (II) VACATING CERTAIN
PRIOR ORDERS PURSUANT TO FED. R. CIV. P. 60 AND FED R. BANKR. P. 9024;
AND (III) IN THE ALTERATIVE, REQUIRING A MORE DEFINITE STATEMENT**

PLEASE TAKE NOTICE M&Q Plastic Products L.P., purported defendant in the above-captioned adversary proceeding by and through its counsel, Fox Rothschild LLP, filed its motion (the "Motion") for an order: (i) dismissing the plaintiff's complaint commencing this action, with prejudice, (ii) vacating certain prior orders pursuant to Fed. R. Civ. P. 60 and Fed. R.

Bankr. P. 9024, and (iii) in the alternative, requiring a more definitive statement of the claims asserted in the complaint.

PLEASE TAKE FURTHER NOTICE that a hearing will be held on **July 22, 2010, at 10:00 a.m. (EST)**, (the "Hearing"), before the Honorable Robert D. Drain, United States Bankruptcy Judge, in his courtroom at the United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601, to consider the relief sought by the Motion.

PLEASE TAKE FURTHER NOTICE that written objections, if any, to the relief sought in the Motion shall be made in writing, filed with the Court electronically in accordance with General Order M-242 by registered users of the Court's electronic case filing system and, by all other parties in interest, mailed to the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004, on a 3.5 inch floppy disk, preferably in Portable Document Format (PDF), Microsoft Word, WordPerfect, or any other Windows-based word processing format (with a hard copy delivered directly to the Chambers of the Honorable Robert D. Drain, United States Bankruptcy Judge, United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601), and served in accordance with General Order M-242 or other form upon (i) Fox Rothschild LLP, 100 Park Avenue, Suite 1500, New York, New York 10017, Attn: Fred Stevens, (ii) Fox Rothschild LLP, 1301 Atlantic Avenue, Suite 400, Atlantic City, NJ 08401, Attn: Michael J. Viscount, Jr., so as to be actually received no later than the **June 7, 2010 at 4:00 pm (EST)**. Oral objections parties in interest may be made at the Hearing regardless of whether the party timely files and serves a written objection.

Dated: New York, New York
May 14, 2010

FOX ROTHSCHILD LLP

By: /s/ Michael Viscount

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